

Law Enforcement News

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Chronic fatigue, from A to Zzzzz

Study sees overtired cops prone to lapses in judgment, even misconduct

Using overtime to make up for manpower shortages and allowing sworn personnel to work unlimited hours at off-duty jobs is causing chronic fatigue among officers, undercutting community-policing efforts that rely heavily on positive interactions between police and citizens, according to a recent study from the Police Executive Research Forum.

The study, "Evaluating the Effects of Fatigue on Police Patrol Officers," examined officers from law enforcement agencies in Lowell, Mass.; Polk County, Fla.; Arlington County, Va.; and Portland, Ore., subjecting them to a variety of tests including a self-report survey, the Pittsburgh Sleep Quality Index (PSQI) and a pupilometer, which measures fatigue through involuntary eye reactions.

"In many ways, we are slowly damaging our police officers — or to some extent, they are doing it themselves," said Dennis Jay Kenney, one of the study's authors. "We may be doing it by causing them to be more accident-prone or make poor judgments, as well as undermining what has been a multi-year, multibillion-dollar development effort in this country to promote community policing. We may be working at cross

purposes, here," he told Law Enforcement News.

According to the preliminary findings, police officers as a group tended to be more exhausted than employees in other occupations, routinely working more hours in one-day, two-day and

'Underpaid and overworked' appear linked to 'underrested and overtired.'

seven-day periods than would be allowed for either truckers or workers in a nuclear power plant. Nineteen percent of the 379 participating patrol officers were operating above the level of fatigue allowable in other industries.

Some 41 percent of all officers who completed the PSQI had clinical sleep pathologies, according to the study. Only 26 percent reported that they slept seven or more hours a day — the minimum amount that sleep researchers say is needed to be fully rested. As a group, said the study, officers

said they slept an average of 6.6 hours, and four percent said they slept fewer than five hours.

Furthermore, 14 percent said they were "always" or "usually" tired when they began their shift, with 18 percent saying that keeping up enough enthusiasm to get their work done was "somewhat of a problem" or "a big problem." Sixteen percent told researchers that more than once a week they had had trouble staying awake while driving, eating meals or while engaged in a social activity.

Still, the consequences of fatigue and sleep deprivation may be seen by many officers as something that happens to "the other guy." Half of the study participants said they would be "concerned" or "very concerned" about an officer who arrived on duty very tired and cited overtime work as "somewhat harmful" or "very harmful" to the type of family and social activities that help people recover from job stress, but only 18 percent believed that overtime was detrimental to their own job performance.

Kenney said the rates of fatigue are probably even greater than what researchers charted based on the pupilometer, a device first used by the

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Crime-prevention certification can get you to the head of the grantee line

Virginia officials, hoping to encourage communities statewide to adopt such crime-prevention initiatives as neighborhood watch and school-based anti-drug programs, have launched a new certification program that will give participating localities preferential treatment when they apply for state law enforcement grants.

According to Doug Smith, a program resource coordinator with the state Department of Criminal Justice Services, the initiative grew out of the findings of a commission formed in 1998 to advise Gov. James S. Gilmore on how to address issues of crime and delinquency. For more than a year, he told Law Enforcement News, the Governor's New Partnership Commis-

sion for Community Safety had been holding hearings trying to get a sense of the problems faced by different localities.

"They asked DCJS to look into programs that could be implemented statewide, that could provide some assistance to these localities. Essentially, what this does is give localities a framework for those that are not up to speed on all the developments in crime prevention," he said.

Under the Certified Crime Prevention Community program, localities will need to meet 19 different criteria, or 12 core elements and seven optional elements out of some 25 listed by DCJS, in order to meet the standard. Those criteria will be reassessed every

three years.

The core elements include a community crime-prevention council, a neighborhood watch program, a community policing initiative, and organized distribution of community safety literature. There are also a number of elements which, the program maintains, are the responsibility of law enforcement, including accreditation through either the Virginia Law Enforcement Professional Standards Commission or the Commission on Accreditation of Law Enforcement Agencies; a planned committee or identifiable staff person to conduct community security and safety assessments of at-risk neighborhoods and of schools; and crime analysis capability. Law enforcement and

local businesses must be responsible for a business watch program, and police and social services need to show cooperation in and access to victim or witness services program, as well as a delinquency prevention program targeting at-risk youth.

Optional elements include a National Night Out program; a school violence prevention curriculum; "zero tolerance" policies in schools; a crime prevention speaker's bureau; a juvenile firesetter program, and a DARE or similar school-based anti-drug curriculum.

The concept is similar to another state initiative, the Crime Prevention Specialist Program, which designates crime prevention officers as specialists after they meet a certain criteria, said Smith. DCJS and the Virginia Crime Prevention Association are also offering free technical assistance to communities that need to implement one or more elements of the certification requirements, he said.

Those localities that meet all 19 criteria, or are specifically seeking funds to fulfill the requirements of the program or are making a serious effort to become certified with few if any of the necessary elements in place, will also get special consideration when they apply for grants under the Edward Byrne Memorial Formula Block Grant program, money set aside by the Justice Department for state and local law enforcement for crime prevention programs and other initiatives.

That component has concerned the Virginia State Chiefs of Police Association. **Continued on Page 6**

Consumer-protection rules now apply to firearms in Massachusetts

Taking a new tack in the battle over gun control, Massachusetts officials this month were able to establish what they believe to be the toughest gun controls in the nation without passing further legislation, by extending existing consumer protections to include handgun safety requirements.

The new regulations come after a three-year legal skirmish which ended on March 20, when the gun industry failed to meet a deadline for further appeals. Under the new rules, all handguns must have childproof safety locks, tamperproof serial numbers and written warning material produced by the

attorney general's office. The regulations also effectively ban Saturday Night Specials by setting strict standards for manufacturing the guns.

"This is the beginning of the end for those opposed to regulating handgun safety," said state Attorney General Thomas Reilly, who imposed the regulations. "People are going to wake up and see this has nothing to do with the right to bear arms and everything to do with the safety of our children."

As a strategy, regulating firearms through consumer laws has broad appeal for gun-control advocates who would otherwise face fierce opposition

from the gun-rights lobby over specific laws. It is hoped that other states will take Massachusetts' lead, advocates told USA Today, forcing gun makers to make the changes nationwide.

"Manufacturers aren't going to make certain guns for certain states," said Dennis Henigan, legal director for the Center to Prevent Handgun Violence. "It's going to induce the industry to change its gun designs across the board."

While guns are exempted from the oversight of the federal Consumer Product Safety Commission, at least 34 states have passed legislation that

would allow regulation of handguns just as any other product. Attorneys general in approximately 30 states have said they would follow Massachusetts' lead. But opponents and even some gun control supporters fear a patchwork of conflicting state laws could develop across the country between those that can use such laws and those that cannot, such as New York.

"We applaud what has happened in Massachusetts," said Darren Dopp, a spokesman for New York State Attorney General Eliot Spitzer, in an interview with USA Today, "but we just

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Around the Nation

Northeast



CONNECTICUT — A New London boy admitted he was injured while trying to make a pipe bomb on April 8. He had been visiting relatives in Montville when the device exploded.

An ex-officer has filed a federal sexual harassment suit against Cheviot police Lieut. Kerry Deegan. Margaret Miner contends that Deegan groped her and made unwanted advances, and that the department did nothing to shield her from the harassment. Miner resigned over the issue in 1998. Deegan was cleared of wrongdoing by a departmental investigation, and says the affair was consensual.

DISTRICT OF COLUMBIA — Victims of violent crimes will no longer have to go to police headquarters or a district station to get a copy of the police report, under new regulations issued by the Metropolitan Police Department and intended to make reporting crimes easier. Victims will now have their reports delivered or mailed to them.

MARYLAND — Elkton Mayor Rob Alt has named Daniel Skip Mahan as the city's new police chief, following the dismissal of Charles Jagoe in January. Observers speculated that Jagoe had been dismissed due to efforts to unionize the city's officers. Mahan was most recently the director of the Cecil County Detention Center.

Anne Arundel, Carroll, Harford and Howard counties are joining Baltimore city and Baltimore County in a campaign to deal with crime and transportation problems. Each county will help lobby for crime bills proposed recently by Baltimore County Executive Dutch Ruppersberger and Baltimore Mayor Martin D'Malley. Among other issues, the bills concern pawn shop operations and state motor vehicle provisions that would refuse the renewal of a driver's license for anyone with an outstanding arrest warrant.

MASSACHUSETTS — Hate crimes against gays, lesbians and bisexuals soared 20 percent in the state last year, according to a recent report. About 73 percent of the victims were men. Some officials attributed the increase to more reporting of offenses.

NEW JERSEY — Port Authority police officers earned 23 percent more in overtime last year, thanks to Y2K-related fears of terrorist attacks and other chaos. Shifts in late December and early January accounted for 13,000 of the 25,000 additional hours logged by officers during the holidays, when officers patrolled Newark, Kennedy and LaGuardia airports. The overtime tab last year totaled \$22.8 million.

NEW YORK — A police informer was thought to have faked a crucial tape recording in the case against four men accused of attempted murder in shooting New York City police Capt. Steven Plavnick in 1996 in front of a Bronx station house. Prosecutors had argued that the defendants were members of the Neta gang and had been paid to shoot a captain in revenge for the ac-

quittal of an officer in the death of Anthony Baez. But three defendants plead guilty to minor conspiracy charges on April 11 and charges were dropped against the fourth when it was found that the informer, Julio Caraballo, fabricated damning evidence against a defendant who is already serving life in prison on a federal drug conviction.

New York City Police Commissioner Howard Safir met April 11 with all 76 precinct commanders for the first time in six months, and called upon them to get their officers to be more polite. Safir noted that there are officers out there who, "in isolated situations," interact incorrectly with the public, and said he wanted to reassert the department's "courtesy, professionalism and respect" campaign.

Concerns about neo-Nazi recruiting flared when Queens resident Michael Sagginario was arrested in early April on weapons charges, and police found pictures of Sagginario and six young white men with shaved heads at an "Aryan cookout." The neo-Nazi scare has also been prompted by a rash of flares in northern Queens that target minorities. Police said Sagginario's house contained a fully loaded AK47 assault rifle, bomb-making materials and knives.

Three New York City police officers from the 83rd Precinct in Brooklyn were suspended without pay for 30 days for threatening a colleague who arrested a female police officer on drunken driving charges. Officer Cheryl Gaffney, 28, was off duty when she hit two cars with her vehicle around 1 A.M. on April 1. The arresting officer from the 104th Precinct was confronted several hours later in the station house locker room by officers Scott Woltering, 39, James Wunderlich, 30, and John Maguire, 35, who threatened the officer and told him that he "might catch a bullet."

Rolando Aleman, a 29-year-old ex-NYPD officer, pleaded guilty April 17 to lying to federal investigators in the Abner Louima brutality case. Aleman had said he did not see Louima being led into a cell inside the 70th Precinct station house on Aug. 9, 1997. Aleman, who could have faced up to five years in prison had he gone to trial, faces up to six months. No sentencing date had been set.

Mayor Rudolph Giuliani said he would sign a City Council bill renaming a New York City street after 29-year-old Anthony Baez, who died after he was choked by a police officer in 1994. A two-block section of Cameron Place in the Bronx will be renamed Anthony Baez Place. The officer, Francis X. Livoti, was fired in 1997 for using an illegal choke hold on Baez and is currently serving a 7½-year Federal sentence for violating Baez's civil rights.

Two Newburgh-based drug gangs were disabled after a wave of 29 arrests on April 3. Most of the charges in the six-month investigation of the Darkside and Alleycatz gangs involved distribution of crack cocaine.

A New York City police officer who showed fourth graders a gun safety video produced by the National Rifle Association will not be disciplined by Commissioner Howard Safir. Gun-control advocates contend that the video,

which features the cartoon character Eddie Eagle, severely understates the dangers of guns. There are no plans to continue showing the video to other students, although Safir said that the message of the video was consistent with the NYPD's position that children who encounter guns should avoid them and alert an adult.

New York City police officer William Morales, 34, was found guilty of shooting Edwin Gomez, 21, in the groin during a game of Russian roulette on Nov. 9, 1998. Morales was moonlighting as a security guard at a Bronx sporting goods store at the time. He faces up to seven years in prison when he is sentenced May 25.

After being spotted wearing a woman's wig and dress in a transvestite-laden district, a male Manhattan police captain was transferred to another borough. An internal affairs investigation found that the captain, who was not unidentified, had broken no rules.

Supporters rallied for New York City police Capt. Joseph Culbert, who was ousted from command of the 104th Precinct in early April after he was said to have joined in a discussion that disparaged an Asian-American supervisor, Deputy Chief Dewey Fong. The discussion, in which Fong was likened to a Chinese takeout delivery man, was captured on Fong's voice mail after a cell-phone call did not disconnect.

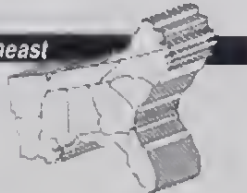
PENNSYLVANIA — Philadelphia Police Officer Mingo Grady was trying to take a rape victim from a downtown hospital to the police sex-crimes unit a few miles away when she got lost and ended up near Newark, N.J. The 70-mile detour prompted a frantic search using a police helicopter.

Fleetwood resident Dan Young, 42, was fined \$222 for talking on his cell phone while driving in Hilltown Township. He was believed to be the first person to be convicted for violating the ordinance passed in Hilltown in December, which prohibits the use of a mobile telephone unless the driver has both hands on the steering wheel.

A 3-year-old Johnstown girl managed to call 911 when her mother suffered an epileptic seizure. The girl had learned a song about calling 911 in preschool, and her mother, Terry Panek, sang the first line of the song to her before she passed out.

RHODE ISLAND — No charges will be brought against two white police officers in Providence who shot and killed an off-duty black officer, Sgt. Cornel Young, Jr., whom they mistook for a suspect on Jan. 28. The shooting by officers Michael Solitto and Carlos Saravia also touched off a federal civil rights investigation.

Southeast



ALABAMA — Officers fired 80 times at a Mobile shoplifting suspect after he took an officer's gun and fired once at them, and then lost the weapon's clip. The suspect, Maleek Sharp, 18, was hit five times, and awaits trial on charges

of attempted murder. Police said the number of shots was justified because the suspect posed a threat.

Part-time Town Creek officer Troy Harville had not been recertified to carry a gun when he shot and killed black resident Marcus "Tie" Sanders, 34, after the suspect struggled with Harville's gun. Harville had joined the Town Creek force on Feb. 9, but prior to that had worked in construction for a year after leaving the Moulton Police Department.

FLORIDA — Former FBI agent Fred McFaul said Escambia County Sheriff's deputies need more realistic training, following an analysis of 27 shootings that ended in the deaths of eight suspects between 1992 and 1998. McFaul found that Escambia deputies fired their guns more than twice as many times as officers in most police agencies of comparable size. The former agent was asked by Sheriff Jim Lowman to conduct the review after a botched drug sting ended in the fatal shooting of an unarmed black suspect last October.

A \$19.1-million allocation from the federal Crime Victims Fund will help the state support local victim service agencies and other programs. The allocation was 62 percent higher than last year's award.

Two seventh-grade Fort Lauderdale girls were arrested April 15 on charges that they were going to beat and kill three other girls. It was not yet clear whether charges would be filed against the two unidentified Silver Lakes Middle School students.

Animo, a five-year-old Miami police dog, was stabbed while in pursuit of murder suspect Michael Cruz-Diaz on March 22. Cruz-Diaz, 32, was wanted in the Feb. 27 murder and robbery of a funeral director. Cruz-Diaz had escaped from a police car and crawled into a pipe when the dog sniffed him out.

The death of narcotics suspect Elew Vazquez-Collazo, 44, who was allegedly beaten while trying to escape from a Miami police station, has resulted in the suspension of Officers Carlos Rivera, 31, and Sgt. Frank Pichel, 38. The suspect was arrested April 10 and died in jail of a ruptured spleen. Investigators say Rivera may have used too much force to restrain him.

LOUISIANA — The state will begin posting on the Internet the names, addresses and photos of sex offenders, prostitutes and parents who owe child support. The Louisiana State Police site and the Child Support Enforcement site are intended to heighten public shame.

A 14-year-old New Orleans student was arrested after police said he pointed a handgun at a 15-year-old girl. A 9mm. Beretta was taken from the Charles J. Colton Junior High student on April 11.

NORTH CAROLINA — Few clues have surfaced in the unsolved murders of seven Fayetteville prostitutes, and police are still hesitant to say whether all of the cases are linked. The body of the latest victim, Amanda Bagley, 21, was found March 7.

TENNESSEE — Last-minute reprieves spared the lives of death-row inmates Robert Glen Coe, 43, who was

convicted of raping and murdering an eight-year-old girl in 1979, and Philip Ray Workman, 46, who was convicted of killing a Memphis police officer in 1981. Coe would have been the first murderer executed in Tennessee in 40 years. The daughter of Lieut. Ronald Oliver, whom Workman shot, supported the stay of execution, citing evidence that shows Workman did not fire the bullet that killed her father.

The Franklin Police Department has signed a \$386,000 contract to install a wireless information system that will reduce radio traffic by relying on voiceless dispatching. Officers will also be able to do their own drivers' license and vehicle checks.

Memphis Sgt. Clyde Currie, who was charged with drunken driving in December, was drunk again when he left the scene of a three-car wreck in Raleigh on April 5, officials said. Currie, 38, rear-ended a van and left the scene. He was found unable to stand on his own feet without support, according to a police report. He had not yet been charged.

VIRGINIA — Marlo Charles, 44, was arrested and charged with a 1981 rape for which his brother, Clyde Charles, served 19 years. The brother was released after DNA tests showed the rape was committed by Marlo, who was awaiting extradition to Louisiana.

Midwest



ILLINOIS — The state House has approved a plan that would make illegal possession of weapons a felony for people with criminal records, but a misdemeanor for those without criminal records. The measure was sent to Gov. George Ryan.

A black pastor who was shot three times in a rampage carried out by Benjamin Smith last July has sued white supremacist Matt Hale. The Rev. Stephen Anderson said Hale plotted with Smith to violate the clergyman's civil rights.

Bensenville police, who have been tainted by allegations that they ran an unlicensed private security firm from the police department, are battling the village's push to fire 10 officers who worked for Bensenville Security Services, with lawyers for the officers saying the dismissals were meant to break the police union. All of the implicated officers are elected union officials. On March 28, fire and police commissioners decided that one of those officers, Michael Bratko, was guilty of misconduct for failing to report more than \$27,000 in income earned while moonlighting. Former Deputy Chief Richard Mosher, who was said to have set up the security firm, resigned from the department last year. Ten officers were suspended over the moonlighting fiasco in January. [See LEN, March 15, 2000.]

INDIANA — Three Lake Station girls were suspended from first grade after they were suspected of plotting to kill another girl in the same class. No weapons were found, and charges are unlikely to be filed against them. The three students at the Virgil Bailey School reportedly made drawings that included

a map of where the girls would stab the intended 7-year-old victim. In a related case, a 14-year-old girl was expected to surrender to Hebron police after she allegedly plotted to murder a classmate. Two other girls at Hebron Junior High were in custody over the plan to put a chemical into a 13-year-old boy's milk.

MICHIGAN — Detroit Mayor Dennis Archer hopes to use \$81 million in projected casino tax revenues to hire more police officers and improve city services. He said the money would not be used to create new programs.

A rash of accidents and injuries at road construction sites has prompted a plan to double the number of police patrols in such areas, according to state officials. The Department of Transportation will pay state police \$350,000 for 7,700 hours of site patrols this year.

OHIO — Anthony Cook, 52, has admitted he was involved in nine killings in Toledo in the 1970s and 80s, and pleaded guilty to aggravated murder in the shooting of Thomas Gordon in 1981. He was sentenced to life in prison. His brother, Nathaniel Cook, was sentenced to 21 to 75 years in prison for his role in three of the killings.

WISCONSIN — Kenosha County sheriff's deputies were searching for an irate motorist who tossed a half-peeled banana at another driver's windshield. The road rage was incited when a 35-year-old woman, who was being tailed, tapped her brakes. The perpetrator then pulled next to her and committed the drive-by fruiting.



IOWA — Gov. Tom Vilsack signed into law a bill that will create a \$100,000 benefit for families of law enforcement officers and firefighters who die in the line of duty.

Those convicted of a crime causing death must pay \$150,000 to the victim's estate, according to a ruling by the state's Supreme Court. The victim restitution ruling came in three cases, two involving fatal car crashes, and the other involving a minor who died of alcohol poisoning. The court rejected arguments that the restitution requirement violates a constitutional ban on excessive fines.

A law expected to be signed by Gov. Vilsack will make the torture of an animal a felony on the second offense, carrying a penalty of up to five years in prison and a \$7,500 fine. First-time offenders would have to undergo psychological counseling and would be charged with an aggravated misdemeanor.

KANSAS — Facing increasing prison crowding, legislators want to keep violent offenders locked up but treat non-violent criminals in community programs. The move would be cheaper than Gov. Bill Graves's proposal to expand state prisons.

MINNESOTA — Minnesota Department of Public Safety officials are

launching a three-year, \$3-million study after a report found that the number of black residents arrested for violent crimes is 25 times higher than the arrest rate for whites. The department hopes to identify the causes for the disparity.

Wireless 911 calls in the Twin Cities area will be easier to trace, now that U.S. West has begun automatically providing dispatchers with the phone numbers and approximate locations of wireless callers. Other wireless firms say they will follow suit.

MISSOURI — An early retirement has been granted to Kansas City Deputy Police Chief Julia Bush, 47, who was accused of sexual harassment by another female officer.

MONTANA — Anaconda police say that a commissioner once used an ethnic epithet when referring to a negotiator for the Anaconda Police Protective Association. The charges come as police and Anaconda-Deer Lodge County officials plowed into negotiations to resolve disputes over the police union's collective-bargaining contract. The scheduling of shifts for officers has become the central issue under dispute. Police also alleged in a March 14 filing that the county failed to negotiate in good faith.

Cascade County Sheriff's Sgt. Deborah Baumgart, 43, was arrested March 7 on felony charges that she stole more than \$15,000 from her office's evidence area. In response to the charges, Lieut. Jim Bruckner will become the department's full-time evidence technician, said Sheriff John Strandell, who added that seized money will now go into a bank account and not an evidence locker.

Former Laurel Crimestoppers chairman Sandy Stevenson was being sought for the theft of \$9,000 from a reward fund. Stevenson, a citizen of Scotland, failed to show up for an interview about the missing cash.

Sanders County Sheriff Gene Arnold announced March 14 that he will not lay off four deputies because of a shortfall in jail revenues. Arnold had previously said the four layoffs were necessary, but the large county barely has enough officers available to provide decent coverage as is. Regional prisons, he said, have sapped money from his budget.



ARIZONA — Gov. Jane Dee Hull was expected to sign a school-safety bill that would establish a clearinghouse for sharing tips, a hot line and a mediation service. It would also require schools to report crimes to local law enforcement officials.

COLORADO — The City of Denver has tentatively agreed to pay \$400,000 to the family of Ismael Mena, who was shot dead during a botched Sept. 29 drug raid. It was considerably less than the \$5.5 million in damages the Mena family had initially sought. Mayor

Wellington Webb intervened to break a stalemate, in which the city was proposing \$275,000. The 45-year-old Mena was killed by SWAT members during a no-knock raid in which Mena fired at them with a handgun. No illegal drugs were found. Meanwhile, a special prosecutor charged Denver Officer Joseph Bini with lying to get the warrant. The house next door was apparently the crack house, where cocaine was later confiscated in a second raid. Bini was suspended without pay over the incident.

NEW MEXICO — A rash of church burglaries in the Hernandez area has been blamed on a drug epidemic. The latest casualty was the San Jose de Rio Chama Catholic Church, whose sanctuary was burglarized.

OKLAHOMA — Two-thirds of Oklahomans would support a mandatory trigger-lock law, a recent poll found. Fifty-four percent favor a law that would make gun owners criminally liable if children commit a crime with their gun.

TEXAS — Two DeSoto police officers, Lieut. William Homer Ransom and his wife, Sgt. Judith Corkran Ransom, face charges that they beat and sexually assaulted a 13-year-old boy in their foster care. The boy's 16-year-old sister also said she had been abused. The two children were formerly in an abusive home and had been placed in the Ransoms' care.

The Houston Police Department has settled a deaf man's federal lawsuit by agreeing to purchase telecommunications devices that will allow them to communicate with deaf people.

Sensitive documents were sucked out of the FBI's offices in Fort Worth when a tornado blew through the city on March 28, prompting 60 agents to scour a cordoned-off section of the city's downtown area for the papers.



CALIFORNIA — The Los Angeles City Council voted on April 5 to ask the U.S. Justice Department to take over the investigation of corruption in the Police Department. Federal civil rights charges were also filed against one current and one former officer in a 1995 incident in which police planted a gun on Victor Tyson and had him prosecuted for possession of a concealed weapon. Tyson was exonerated of the charge. The continuing scandal in the police department's Rampart Division has seen 50 convictions thrown out as a result of statements by ex-officer Rafael Perez, who told authorities about corruption in exchange for a lighter sentence for stealing cocaine from an evidence room.

A copycat plot resulted in the arrests of two 17-year-old Sonora boys on April 14. They boys planned to attack Summerville High School on April 20, which was Adolf Hitler's birthday and the one-year anniversary of the Columbine High School massacre in Littleton, Colo. Knives, swords and guns were

found at the boys' homes.

DNA samples linked 30-year-old Jason Donaldson to the violent 1998 rape and murder of Los Angeles County resident Khen Tran. Donaldson was already in custody on an unrelated charge. It was the third case in California in the last five months in which the state crime lab made a "cold-hit" identification of a suspect based on DNA evidence, and officials were pushing for more funding for the lab to clear out other unresolved cases.

Suicide by cop was the explanation given in the fatal San Diego shooting of Christopher George Heimbigner, who provoked gun battles with officers on Jan. 29. The district attorney on April 14 concluded that a suicide note addressed to police, along with other actions, demonstrated that Heimbigner wanted police to kill him. The suspect hijacked a BMW at gunpoint after firing at officers, and following a five-mile chase he again shot at officers, who returned fire. Heimbigner had attacked his girlfriend weeks earlier, hitting her with a gun.

Suffering from poor management and a failure to achieve its goals, the L.A. Bridges anti-gang program came under fire recently when an internal audit recommended that the program be abandoned. Juvenile arrests have actually increased in neighborhoods targeted by the school-based program.

Riverside officials have approved a Community Police Review Commission that would have subpoena power to investigate complaints against police officers. The panel was formed in the wake of the 1998 shooting of 19-year-old Tyisha Miller.

Despite taking several shots from a beanbag gun, Richard Rodriguez, 27, continued to threaten officers with a knife and was killed by Los Angeles police on April 3. Rodriguez had stabbed his girlfriend and her teenage son and was wandering the streets with a butcher knife when cops ordered him to drop the knife, then shot him with the beanbag gun and hit him with a Taser electrical charge when he continued to resist. Police finally shot and killed the suspect.

Sex-offender red alert now comes in hot pink

If sex offenders and other violent ex-convicts living in Great Falls, Mont., believe they are keeping their whereabouts hidden by not registering with local police, detectives have a surprise for them, in the form of a hot-pink door sign that acts as both a reminder and notification for the community.

The Great Falls Police Department had been struggling to monitor all 57 registered sex offenders and the 131 other violent offenders in the city because they tended to move often and give false addresses, said Lieut. Jere Carpenter. Under state law, such offenders are required to give their addresses to police.

The department decided to leave colorful door hangers of the sort used by utility companies to notify residents that they have visited the home. "What happens is if we are having problems contacting people, whether they're at work or we can't catch them on the phone, we hang one of these on the door," Carpenter told Law Enforcement News.

The sign says that members of the Great Falls Police Department violent/sex offender registration team have paid a call and that it is imperative they be contacted regarding address verification. If police do not receive confirmation of the person's whereabouts, they follow up the next day with an arrest warrant.

Carpenter said the strategy had received publicity on local television and in The Great Falls Tribune. Anybody who saw the paper that day, he said, would know that if they see one of hangers on the door of a neighbor, they have a convicted sex offender or violent offender living in their midst. Offenders' addresses and

Unwelcome public notice for unregistered ex-cons

other information are made available to the public through the department.

Since instituting the program in the past month, police have only used it once, said Carpenter. "It got their attention," he told LEN. "It's like, 'Don't be hanging that on my door.'" In that case, police had left a sign on the door during the late afternoon. By 7 A.M. the next day, said Carpenter, the person had come into the police station with his probation officer to register.

While there is the potential for pranksters and signs being put on the wrong door with this tactic, the department contends that it is worth the risk. "I'm sure there is the possibility of that," said Carpenter, "but you have to weigh the good with the bad. The reason we started doing this was because trying to get them to come in and verify addresses was just so difficult."

Last year, a sex offender falsely told police that he lived at the Great Falls Rescue Mission. The mission's director, Eric Berger, told The Montana Standard: "Sex offenders are giving bogus addresses. If someone says they're living at the rescue mission and they're not, and we get a sign on the door, then we're being victimized twice."

Any sign that is wrongfully placed on a doorknob will be immediately retrieved by police, Carpenter said.

Changing sides

From president of the patrolman's union to police commissioner may be a different side of the fence, but it is still the same fence, maintains Charles Cola, the Yonkers, N.Y., detective who was chosen last month to succeed retiring Commissioner Joseph P. Cassino.

Cola, 45, spent seven years as head of the 400-member Yonkers Police Officers' Association. During that time, he had ample opportunity to study the job of police commissioner, having worked closely with four who held that post. "To know my job as union president, I pretty much had to stay on top of what the commissioner's job was," he told Law Enforcement News. "It was like a game of chess. To make my move, I had to anticipate his move."

A detective with the YPD's major case squad, Cola joined the force in 1982 after having spent a year as a New York City Transit Police officer. He holds a bachelor's degree in criminal justice from Manhattan College.

Cola concedes that after just three weeks on the job, he has not yet developed his own style. But he wants to create an atmosphere, he said, where the "average cop" feels like he makes a difference and is not afraid to speak up. It is the same type of atmosphere he believes he brought about within the union. "A lot of times in the past, people were afraid to speak out, even on union issues," said Cola. "I changed that over seven years — in my opinion, anyway."

One of the first issues he will tackle is a problem left to him by Cassino on

his next-to-last day as commissioner. Cassino ordered that 33 officers who live two counties away from Yonkers move closer to the city or be fired. At issue is a turn-of-the-century law that requires them to live either in or next to the county where they work. The order would affect six of 12 officers scheduled for promotion.

"We're trying to resolve that situation," said Cola. "It's a 1908 law that was put in place for different reasons. We're working with the mayor and the unions to try to resolve the issue without going to court," he said.

The appointment of a detective as police commissioner drew an angry response from the 135-member Yonkers Police Captains, Sergeants and Lieutenants Union, which said the mayor unfairly reached below ranked officers with more time on the force in making his selection. Cola and Mayor John D. Spencer are close political allies.

Spencer tried to head off the criticism, telling The New York Times that he would not appoint someone who was not in his camp. "When I chose someone, I would hope they would carry the flag for me," he said. Spencer had added that the person he named would have "managerial and leadership experience."

Cola, however, said the dispute was generated by the local media, which claimed to have received an unsigned letter from someone in the upper ranks. "They said it came from a boss, but an anonymous letter could have come from anywhere," said Cola.

While unusual, it is not unprecedented for a union leader to be chosen as commissioner over an officer with supervisory experience. In 1996, New York Mayor Rudolph Giuliani appointed Thomas Von Essen, head of the city's firefighters union, as fire commissioner. Cola told The Times: "I've had a unique opportunity as PBA president to work with every level of officer in different situations. I know all the officers' strengths and weaknesses and plan to use their strengths to our advantage. I'm asking the supervisors to work with me, if they truly care about their job."

The morale issue is another item at the top of Cola's agenda. There is a lack of new ideas in the department, he said. Cola also wants to implement a mounted unit and new, more comfortable uniforms for the force. "I want to work with the unions," he said. "But my main goal is the betterment of this job — the policing job."

The next challenge

If history is any indication, it would appear that Charles Gruber is the type of police chief whose innovations are appreciated — and missed — by cities only after they have lost him to the next challenge.

The 52-year-old Gruber took early retirement from the Elgin, Ill., Police Department after eight years in January 1999 and was appointed chief of the Chicago suburb of South Barrington in April. He had served as the village's interim chief since last November following the death of Chief Timothy Lonergan in October.

A 30-year veteran of law enforcement, Gruber spent 10 years as chief in Quincy, Ill., and four years in Shreve-

Still searching for clues

Henry Lee leaves CSP to return to high-profile forensic science

After just two years as public safety commissioner, the Connecticut State Police will be losing Dr. Henry C. Lee, the renowned forensic scientist whose investigation of blood spatters on a sock helped free O.J. Simpson and who garnered world recognition in 1986 when he determined with less than an ounce of human remains that a man had disposed of his wife's body with a wood chipper.

Lee, 61, said that although he would still do consulting work for the agency, he was leaving to concentrate on investigating high-profile crimes. A native of Taiwan, where he was a police captain, Lee attended John Jay College of Criminal Justice on a scholarship after emigrating to the United States, and in 1975 earned a doctorate in biochemistry from New York University. He worked his way through college teaching kung fu.

At a criminal justice symposium in Cromwell, Conn., Lee said that he had fulfilled his commitment to Gov. John Rowland. "I have finished the projects I promised the governor I would get done, and now it is time to step back," he said, according to The New York Times. Lee will also give up the job he has held for 15 years as director of the state police crime lab in Meriden.

In 1998, faced with the loss of his third police commissioner in four years, Rowland had asked Lee to accept the appointment as commissioner — a job he had declined at least twice before. A



Dr. Henry C. Lee
No 60-minute solutions

spokesman for Rowland, Dean Pagani, said: "The governor has a great deal of admiration and respect for Dr. Lee. His reputation is international. He is a great asset to the state police. The governor has convinced him twice before to stay on longer than he wanted to and he realizes that Dr. Lee feels now it's time for him to step down from the administrative position as commissioner."

In high demand around the world for his expertise, Lee has inspected mass graves in Bosnia and Rwanda, and has helped reconstruct crime scenes, including the fire at the Branch Davidian compound in Waco, Tex. Most recently, he examined the shooting on the New Jersey Turnpike of four minority men by state troopers.

As public safety commissioner, he continued his practice of working 17-hour days and instituted the agency's

first-ever Saturday staff meetings. Lee is regarded as a skilled expert witness, whose analysis of a bloody sock in the Simpson case lent credence to the defense's argument that police had planted evidence. Lee testified that the blood had been rubbed in, not splattered. He also helped acquit William Kennedy Smith of rape charges when he explained to the jury that there were no grass stains found on the victim's panties as there would have been had a struggle actually ensued. Lee generally donates his \$100,000 expert witness fee to charity, believing that he is testifying for forensic facts, not prosecutors or defense attorneys.

In 1986, he received worldwide attention when he helped the state of Connecticut win its first murder conviction without a corpse. Lee worked round the clock, collecting evidence on his hands and knees until he had some three-quarters of an ounce of human remains that turned out to be all that was left of Helle Crafts, a flight attendant believed to have been murdered and fed into a wood chipper by her husband, an airline pilot.

Lee does not like to be compared to the television character of Quincy, a forensic scientist whose keen instinct leads him to the murderer in under an hour. "You don't walk onto a murder scene, figure out, wrap it up in an hour," he told The Times. "You don't have tunnel vision. That's the beauty of forensics. Common sense. No emotions."

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port, La., where he was hired to clean up what city leaders believed was a corrupt department. "He got rid of some bad apples," said Tom Dark, Shreveport's assistant chief administrative officer. "But he made a lot of enemies doing it," he told The Chicago Daily Herald. There are few people, Dark added, who can feel neutral about Gruber. "It's love him or hate him."

During his tenure as chief in Elgin, Gruber ran the department with the same no-nonsense style. With a mandate to shake up a sluggish department, he told a furious patrolman who demanded to know why he was passed over for promotion that he could either shape up, or keep eating donuts in his squad car. "If you want to become a part of it, get involved, jump on board," he yelled. "Otherwise get out of the way."

Gruber will be remembered by Elgin, however, as a leader who brought great innovation to the department. Before he arrived, said Licut. Terry Sterricker, the agency was still using the fax machine at the hospital or at a local business office. "I still remember in 1990 when he got here, he was incredulous that we did not have a fax machine."

Within five years, the Elgin department got a new police station, a \$5 million state-of-the-art radio system, and had nearly doubled its budget to \$16 million. Gruber changed uniforms from a light blue to traditional navy and

painted squad cars black and white to instill pride. His community policing ideas were readily accepted by citizens who formed neighborhood watch groups as police were deployed to troubled communities.

"I think he was highly innovative," said Sterricker. "To some degree he was forcing us into the 20th century as we were closing in on the 21st."

Now it's South Barrington's turn to feel the Gruber imprint that has already been left on three departments.

Breath of life

In the spirit of it being better to give than to receive, St. Paul, Minn., Police Chief William Finney considers himself the lucky one in an incident last month in which he was able to ease the suffering of a sick child.

As Finney was driving to work one morning on Interstate 94, he noticed a woman on the side of the road talking into a cell phone while holding a little girl steady as the child vomited. She was having a violent asthma attack and her mother was so busy trying to take care of her that she could not give the 911 dispatcher her precise location.

Calmly taking charge of the situation, Finney gave the operator instruc-

tions, then tried to help the little girl, whose name was Codi. Her spare inhaler was nowhere to be found. Asking her mother, Lisa Peterson, what type of medication the girl used, Finney discovered it was Albuterol, the same kind he used for his own periodic asthma attacks.

After her mother administered the medication, Codi began to relax because she could breathe again, said Finney. "That poor child, she was just shaking," he told The Minneapolis Star-Tribune. When the paramedics arrived, Finney gave the girl a gold police badge the size of a lapel pin, and her mother a card so he could get an update on Codi's condition.

"You see a lot of people hurt and death...when you see children and they're sitting there and suffering and there's nothing you can do for them," said Finney. "I just had some medication to ease her suffering; I was just lucky, I guess."

MOVING?

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Who's looking over Hartford PD's shoulder?

Outside monitor to check compliance with consent decree

A Federal judge in Connecticut last month approved the hiring of a civil rights attorney to act as an independent monitor to oversee the Hartford Police Department's adherence to a 1973 consent decree in which the agency was ordered to establish and maintain new hiring, promotional and training policies, including those regulating the use of force.

The ruling by Senior U.S. District Court Judge Ellen Bree Burns endorsing the appointment of Richard A. Bieder stemmed from the passage on Feb. 29 of a resolution by the Hartford City Council to appoint a "special master" with subpoena powers. Community and religious groups have pushed for a monitor since the April 1999 shooting of Aquan Salmon, an unarmed black teenager, by a city police officer. The incident caused an uproar in Hartford much like that which occurred in New York City after the fatal shooting of Amadou Diallo by police earlier that same year.

In his role as special master, Bieder said he would be acting as a surrogate federal judge, although he does not have the power to hold someone in contempt. "Usually, courts make use of special masters when there are complicated issues that are very time-consuming," Bieder told Law Enforcement News. It is generally felt, he said, that someone with the necessary skills, in whom all of the parties have confidence, can listen and make findings of fact and recommendations to the court. "It is usually a substantial time-saver for the courts," he said.

Although the parties can still object to Bieder's findings and ask that they be reviewed by the judge, he said the appeal of a special master for the community groups is that issues can be dealt with much more quickly than they can in a federal court. "Sometimes dealing with the issues instead of letting them fester for one or two or three months is as important as the ultimate outcome of the case," said Bieder.

Mayor Michael P. Peters and City Manager Sandra Kee Borges had strongly opposed the City Council resolution, claiming that it would undercut City Hall's power over the police department and hinder the city's ability to attract a new police chief to replace Joseph Croughwell Jr.

Croughwell went on an extended medical leave in June following the discovery of a heart condition. Although there was a question as to whether he would return after his recovery from subsequent open heart surgery, he now plans to retire. The department has been in the hands of Acting Chief Deborah Barrows, widely considered to be among the most effective community relations practitioners in the agency.

In ordering the appointment of a special master, Judge Burns ruled against the Hartford Police Association, which had asked to join the consent decree as an interested party. That move was also blocked in state Superior Court.

"The powers contemplated in the council's resolution are outrageous," Frank Szilagyi, a union attorney, told The Hartford

Courant. "Why have a council, a public safety committee, a city manager and a police chief, if you're going to appoint a special master with subpoena power?"

However, advocates of the appointment contend that it was needed to reassure the community that the department would live up to the standards outlined in the consent decree. The powers given to Bieder come straight from rules of civil procedure and are in line with those given to other special masters appointed to oversee troubled agencies.

"We wanted to give this person power because we want the department to improve," said Carmen M. Rodriguez, executive director of La Casa de Puerto Rico, in The Courant. The community group brought the lawsuit which resulted in the decree 27 years ago.

La Casa, which had also pushed for the special master, had sued the city over a series of controversial shootings of black and Latino men in the 1960s and 1970s. In November, it filed a motion in federal court in conjunction with the Interdenominational Ministerial Alliance claiming the consent decree's standards on use of force had been violated with Salmon's death. The suit was dropped, however, when the city agreed to revive a review board to investigate police shootings.

In an agreement reached between Hartford officials and the groups, three residents will join a panel of six officers on a firearms review board headed by the independent monitor.

The state of the states:

Survey finds state gun laws sorely lacking

Fewer than 10 states have laws requiring the registration of handguns and assault weapons, a minimum age for gun possession, owner licensing, a waiting period, and a "junk gun" ban, among other ordinances considered by gun-control advocates to represent basic gun-control laws, according to a comparative study released this month.

The report, "Gun Control in the United States, A Comparative Survey of State Firearms Laws," found that based on 30 weighted gun control measures, just seven states scored above 30 percent of 100 possible points. Forty-two states scored under 20 percent, with an average score of just 9 percent.

"Opponents of gun control claim we don't need new gun laws because there are plenty already on the books," said Rebecca Peters, program director at the Funders' Collaborative for Gun Violence Prevention. "This study clearly debunks that myth, revealing just how

few laws exist nationwide to prevent gun violence."

The study asserted that 35 states have neither licensing nor registration for any type of gun, and 32 require no background checks regardless of the venue from which a gun is purchased. A basic federal background check is all that is required in 23 states when a handgun is purchased from a dealer.

Only four states, California, Maryland, South Carolina and Virginia, have one-gun-a-month laws in effect, and only seven states ban "junk guns."

The study also stated that in 43 states, licenses or registration are not required for assault weapons, such as AK-47s. Only two states, California and Connecticut, prohibit private sale of such firearms.

The states that received the highest scores, or had the most gun-control measures, were Massachusetts and Hawaii, which were given scores of 76

percent and 71 percent, respectively. Both have registration systems for assault weapons, rifles and shotguns and handguns, and would-be purchasers need show proof of safety training. Both states also have a ban on "junk guns," a waiting period for buying either shotguns and rifles, or handguns, and a minimum age for firearms possession.

The next highest marks were given by the study to California, Connecticut, Maryland, New Jersey, Illinois, New York, North Carolina and Rhode Island. The registration of assault weapons is required in California, Connecticut, Maryland and New Jersey, and each demands a background check for dealer sales. In New York, handguns must be registered, and buyers must have a permit whether the sale is through a dealer or made privately. Of these states, only New York has no child-access prevention law.

Seven states, the study said, have no

legal minimum age for children buying rifles or shotguns from a private seller, and 18 states have no minimum age for the possession of these guns. In six states, there is no legal minimum age for a child to possess a handgun.

Only four states, California, Connecticut, Hawaii and Massachusetts, require that firearms be kept locked or unloaded. In 18 states, parents can be punished under child access prevention laws if a gun used by a child causes injury or death.

Among the lowest-ranked states were Arizona, Indiana, Mississippi, Vermont, Louisiana and Maine, which has no gun-control laws at all. In 40 states, municipalities are restricted from imposing local gun laws. Ten states — Kansas, New Hampshire, New Mexico, Ohio, Colorado, Massachusetts, Hawaii, Illinois and New York — allow cities and counties to enforce tighter gun-control ordinances.

"The disadvantage of relying on state laws compared with federal gun

laws," said the study, "is their lack of uniformity. A consistent legal framework is crucial for a hazardous product that is easily transported across state borders."

For example, Baltimore is just 79 miles from West Virginia, which has no registration or licensing ordinances. And New York City is 192 miles from Vermont, which requires background checks for sales but has few other restrictions on ownership.

The study pointed to Virginia, which was the primary source of guns flowing into Washington, D.C. In 1993, however, the state invoked a one-gun-a-month law, barring multiple sales. "After that law was enacted, the flow of crime guns from Virginia declined, indicating that the guns had been coming from multiple sales by licensed dealers there," the study said. "Maryland then became the main source of crime guns in Washington, D.C., and that state too has since enacted a one-gun-a-month law."

Cleveland PD hopes to expand on high-tech anti-drug success

Outfitting detective squads with hand-held video cameras and night-vision scopes has worked so well for the Cleveland Police Department that it is considering expanding their use to operations other than drug enforcement, said the agency.

Last month, the City Council spent \$18,000 of a \$2 million federal grant to purchase 8mm. digital hand-held video cameras and binoculars for detective squads in each of the department's six districts. Although the CPD's narcotics unit has always had its surveillance devices, neighborhood units had to either borrow the equipment or do without.

"Preliminary feedback from the officers using the equipment is extremely positive," Lieut. Sharon MacKay told Law Enforcement News. "So positive, in fact, that we intend to increase the number of available units. We pur-

chased the equipment primarily for drug enforcement investigations, but there are other applicable uses. For instance, identification of safety-related problems such as abandoned buildings and pedestrian/vehicle choke points."

The gear comes at a time when Cleveland is experiencing a growth in the number of people arrested for drug offenses ranging from possession to trafficking. Since 1990, the figure has increased steadily, nearly doubling from 6,106 that year to 11,459 people in 1999 — the most ever in one year, according to Police Chief Martin L. Flask.

Officers in undercover vehicles can record the exchange of drugs for money, said Flask. With the video equipment, suspects cannot claim they were simply having a casual conversation. "Factual matters cannot be disputed," he told The Cleveland Plain Dealer.

Weighing about two pounds each,

the Sony cameras can be operated with one hand. An infrared beam can pick up images from up to 10 feet away in total darkness and farther than that with some light. The cameras also have attached microphones, but the sound quality varies with the amount of background street noise.

The battery-operated binoculars can be used in darkness and low light, as well, highlighting scenes in shades of fluorescent green.

Prosecutors say it is sometimes difficult for police to collect unambiguous evidence in such cases. "Drug cases are among the most difficult crimes to prosecute," said Douglas Weiner, a criminal division chief of the Cuyahoga County Prosecutor's Office. The videotapes, he told The Plain Dealer, will provide evidence making it easier to persuade a defendant to plead guilty or a jury to convict.

Anchorage cops sing, "Oh, give me a home"

As a means of persuading Anchorage police officers to purchase homes in the communities they patrol, the National Bank of Alaska is offering a break on its mortgage fees.

Under the "Good Neighbor Program," sworn personnel who are willing to live in the Mountain View, Fairview, Spenard, Muldoon or Government Hill areas for at least three years will have the standard 1-percent fee on their loans waived by the bank. The program's goal is to reduce crime and promote security in those communities, said Michelle Carufel, vice president of the bank's mortgage loan department.

"We want to encourage police officers to purchase a home and live in the communities they serve," she told The Anchorage Daily News. Officers who find a house in any of those five areas could save about \$1,000 on a

\$100,000 mortgage.

Lieut. Bill Gifford, a police commander for the East Anchorage neighborhoods of Muldoon, Mountain View and Russian Jack, said the program was a "neighborly way" of bringing two elements together.

"We certainly think it is a good program, and it helps in several ways," he told Law Enforcement News. "It shows us being more tied with the community and having more buy-in with the community. We are giving not only our professional but our personal endorsement of what we think of an area."

The Anchorage Police Department also has a take-home vehicle program, added Gifford. "The police officer drives the car home and it sits in his driveway in his off hours and his days off. It helps as a deterrent and tells people that if there is a problem, they can knock on the door."

Customs refutes GAO on strip-searches

The U.S. Customs Service this month released its own statistics to refute what it contends are less than current findings by a General Accounting Office report in which black women coming into the country were found more likely than other airline passengers to be stripped and searched.

The GAO report, "Better Targeting of Airline Passengers for Personal Searches Could Produce Better Results," had been requested by Senator Dick Durbin (D.-Ill.) after he received complaints from African-American women who filed a class-action lawsuit claiming they were unfairly singled out at Chicago O'Hare International Airport. The report analyzed 102,000 searches by Customs inspectors of passengers on international flights in the years 1997 and 1998. During that period, as many as 140 million people entered the United States from abroad.

According to the GAO study, African-American women were less than half as likely as white women to be carrying contraband, yet they were X-rayed and subjected to intrusive searches nine times as often after being frisked or "patted down" by Customs inspectors. The report also found that while white men and women were more likely to be held for more intrusive searches than black men or Hispanic men and women, they were less likely to be holding drugs.

Customs Commissioner Raymond Kelly said that he welcomed the GAO's

study, but insisted that its findings were based on "dated information," much of which has been corrected by reforms carried out over the past 18 months.

According to the Customs Service, 649 passengers this year have undergone body-cavity searches, X-rays and had their bowels monitored, with 307, or 47.6 percent, found to be carrying drugs. During the first six months of last year, inspectors ordered 931 similar searches and found 293, or 31.5 percent of passengers to be carrying contraband. In the first six months of 1998, the year the GAO report was ordered, 1,326 intrusive searches were performed, with drugs found 21 percent of the time, according to Customs.

"Our reforms are working," Kelly told USA Today. "Our searches are more effective. I think the reforms we've made have had a positive impact."

Statistics released by Customs show that during the first half of this fiscal year, there was a 75-percent reduction in the number of searches administered by inspectors compared to the first six months of fiscal 1999, or 4,386 as compared with 18,016. In addition, white males were subjected to pat-downs more frequently than any other category of passenger, and were also found most often to be carrying contraband at that time.

A chart detailing those categories of travelers subjected to intrusive searches showed in the first six months of fiscal

2000, 537 searches were conducted with 56 percent yielding positive findings. Black and Latino males accounted for the highest percentage of passengers carrying contraband. Of 74 searches of African American men, 61 percent were positive, and of 180 searches of Hispanic men, 58 percent were positive. Black females were searched 63 times, and just over half were found to be carrying contraband. White females were found to be carrying drugs in 30 out of 54 searches.

Customs also instituted a number of improvements within the past year, including a new policy requiring its officers to consult with the local U.S. Attorney's office when a passenger is detained for more than eight hours and a probable cause for arrest has not yet been developed. Customs lawyers have also been made available on a 24-hour basis to advise officers during the search process.

Under the new policies, supervisors must approve all pat-down searches,

except for an immediate frisk for weapons, and must complete a checklist and review every personal search performed. A Customs Port Director is required to approve all searches that involve transferring a person to a medical facility.

The agency also improved its data collection, which now includes gathering information on the race, gender, age, citizenship and birth dates of all persons searched, as well as the reason for the search and the flight information.

Police let down by Court's anonymous-tip decision

Police groups were frustrated and baffled last month by a U.S. Supreme Court decision that seemed to zig when it was expected to zag in an appeal involving law enforcement's authority to conduct firearms searches based on anonymous tips.

Rejecting the argument put forth by the state of Florida, the Clinton administration and a broad coalition of state attorneys general, the Court ruled unanimously on March 28 that in order for an anonymous tip to be reliable enough to justify police action, even when a firearm is reported, it must do more than simply describe a suspect's appearance and location.

"Firearms are dangerous, and ex-

"Firearms are dangerous, and extraordinary dangers sometimes justify unusual precautions, [but] an automatic firearms exception . . . would rove too far."

traordinary dangers sometimes justify unusual precautions," said Justice Ruth Bader Ginsburg in her opinion for the court. But, she continued, "An automatic firearms exception to our established reliability analysis would rove too far. Such an exception would enable any person seeking to harass another to set in motion an intrusive, embarrassing police search of the targeted person simply by placing an anonymous call falsely reporting the target's unlawful carriage of a gun."

Justice Anthony Kennedy wrote that allowing uncorroborated information could encourage police to fabricate tips. But both Kennedy and Ginsburg stressed that the ruling did not bar all searches based on anonymous tips. Where a reasonable expectation of privacy is diminished, such as at an airport or a school, the need for reliability might be relaxed, said Ginsburg.

The Court's decision affirmed a 1998 ruling by the Florida Supreme Court, which suppressed a gun found by police in the pocket of a 15-year-old identified only as J.L. The charge against him was never brought to trial.

The case, *Florida v. J.L.*, No. 98-1993, had drawn wide attention from civil-rights and law-enforcement groups. Two Miami police officers found the concealed weapon in the teenager's pants pocket after receiving a telephone tip in which the tipster described only a black male in a plaid shirt

standing at a bus stop with two companions.

Ginsburg said that in contrast to an anonymous tip that the Court found adequate in a decision 10 years ago, the tip in the recent case offered nothing beyond mere description and had given police no way to test the accuracy of the information. In the earlier case, a person left a building as police had been told to expect and drove to another address before action was taken. Although the cases had been described as similar, Ginsburg said, "This one surely falls on the other side of the line."

The decision came as a shock to law enforcement groups, which have found the Court to generally side with police in search-and-seizure cases. Of 11 criminal law cases decided so far this term, *Florida v. J.L.* is the only one in which the Justices sided with the defendant.

"We are disappointed and frankly, baffled," said Robert Scully, executive director of the National Association of Police Organizations. "The danger to law enforcement officers and the general public will significantly increase," he told *Newsday*, "and we fear that more officers and more members of the public will be assaulted and murdered."

Liberal groups, however, praised the ruling. James Tomkovicz, a lawyer for the American Civil Liberties Union, called it a "slam-dunk victory for individual rights."

Moving to the head of the grantee line

Continued from Page 1

ciation, however. Dana Schrad, the organization's executive director, said it caused "a bit of a ripple" within the state's law enforcement community because it did not give localities applying for grants under the Byrne program a chance to reach certification level if they had not already done so. "It is a program that is supported," she told *LEN*, "but there are a few wrinkles."

Smith said that participation in the program will be but one factor taken into account, when all other items are equal between two competing applications. It will be the job of each jurisdiction to assess whether it can get all of

the criteria into place and whether it needs all of them. For example, a close-knit community may not need a formal neighborhood watch program, he said.

"My guess is that localities that don't have any of these things in place will either not try to pursue it because they don't have the resources or make an all out effort to get it," Smith said. "What they have to understand is that if they don't have any of the pieces in place, they have to submit a timetable to us for when they're going to have them. If they don't have them by their timetable and we certify them, then we're going to have to pull their certification."

Town tries to keep adults off the streets and out of trouble

What's in a word? Apparently, quite a lot, when that word is "adult" followed by "curfew," as city and police officials in Cloverport, Ky., have found out.

Under a new law passed by the City Council on March 22, it is illegal for anyone 18 and older not "engaged in lawful occupation" to be in public between midnight and 5 A.M. on weeknights, and from 1 to 5 A.M. on weekends. First offenders will get a warning, but violators may be fined up to \$250. The town adopted a curfew for minors two years ago.

While at least one adult curfew law has been ruled unconstitutional by the U.S. Supreme Court, Cloverport's council approved the law by a 4-2 vote after a spate of vandalism earlier this year. A park bench was destroyed and several windows smashed along Main Street and at City Hall.

According to Police Chief Robert

Vanderhoof, the ordinance was intended as a simple anti-loitering statute, but use of the term "adult curfew" has given residents the wrong idea. "People have come up to me and said, 'Well, what if I want to go out at one o'clock in the morning and get a gallon of milk?' I said, 'Go do it.' If you want to go fishing at three o'clock in the morning, do it. Or walk your dog, or drink a cup of coffee on the [Ohio] riverbank. The worst that might happen is one of us will come up and say, 'Hey, how's it going?' and be on our way."

Fines, he told *Law Enforcement News*, would probably not go beyond \$5 or \$10.

Although no murders or rapes have been reported in the town of some 1,200 residents since 1984, there has been a slight increase in crime in recent years. State Police reports show auto thefts up from one in 1995 to four in 1997, and

the number of burglaries growing from zero to three and larcenies from two to 14 during that period.

Still, some residents contend that giving what Mayor Pat Wheatley calls an extra tool to the town's two-member police force for fighting crime is unnecessary. Located in a dry county, Cloverport has no rowdy bars and the local billiard parlor closes at 8 P.M. There is too little for young people to do in the town, some believe. "My dad was a deputy sheriff, and I have the utmost respect for the law," said Eric Embry, a former pro wrestler and owner of a video store. "There's absolutely nothing for kids to do in this town."

City Council member Danny Smiley, who voted against the curfew, said he thinks the problem is that young people congregating in the area along the riverfront disturb those who have homes there, including the mayor. Smiley said he opposed the ordinance because he believed it was unfair. "It hurts everybody," he told *The Louisville Courier-Journal*.

Cloverport is not the only town in the area to have an adult curfew. Neighboring Hardinsburg and Irvington have had similar laws for 17 years. Hardinsburg Police Chief Ron McKinney said people abide by the curfew, so it has not been an issue. "All it does is eliminate loitering on the streets where they're playing loud music and partying," he told *The Courier-Journal*. "It's a good tool."

Vanderhoof said the ordinance should perhaps not have been labeled an adult curfew, but that it is worded no differently than similar anti-loitering ordinances across the country.

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Wanted: a smarter, more diverse applicant pool:

For recruiting, college is the Big Apple of police agencies' eyes

As law enforcement recruiters from around the country venture farther from home in a quest to fill their ranks with college-educated, racially-diverse recruits, midtown Manhattan has become an increasingly popular destination.

This month, a seven-member team from the Los Angeles Police Department launched a massive recruitment initiative at John Jay College of Criminal Justice, screening some 4,000 hopefuls in just three days. It marked the first time in nearly 20 years that the LAPD has come to New York City to recruit.

While John Jay was one of many colleges the LAPD said it planned to visit, many departments appear drawn to the college as a recruitment site because of its diverse study body and its academic emphasis on criminal justice and public service, according to both college and police officials.

"Our students want to go into areas that deal with criminal justice," said Carina Quintian, the college's associate director of career advisement. "One of the areas they're interested in is law enforcement and that makes it very good place to recruit. Not only that, we have a wide variety of students from all over."

Quintian pointed out that as local pools of applicants have shrunk with the booming economy, recruiters have had to expand their hunting grounds. "They have the money, they need the people and they can't get them. They're going as far as Hawaii," she said.

Of a total student population of more than 10,000, some 70 percent are minorities and over 50 percent are female, noted Paul Wyatt, the college's director of career services. "They come here for the diversity," he told Law Enforcement News. "Many law enforcement agencies have traditionally been dominated by white men. So when you have women who are interested in law enforcement, blacks, Hispanics, that's an excellent pool for them to draw from. In addition, if you live in New York City, you're going to be streetwise, so if you have a college-educated, streetwise student who is interested in law enforcement, it's a win/win/win situation all around."

Wyatt cited the case of the U.S. Marshal's Service, which graduated a class of 22 new deputy marshals last November. Of those, he noted, six came from John Jay, which he called "phenomenal."

The college and its student body



LOCAL CUSTOMS: U.S. Customs Service Commissioner Raymond Kelly (2nd from left) gets an eyeful of the new electronic job-information center installed at John Jay College of Criminal Justice, as part of a larger effort by Customs to attract a high quality and diverse work force. Joining Kelly at the April 3 ribbon-cutting are (from left) Congressman Gregory Meeks (D.-N.Y.), John Jay President Gerald W. Lynch and an unidentified Customs official. (Photo: Tracy Rudnick)

have drawn the attention of departments including the Arlington County, Va., Sheriff's Office and Police Department; the Rochester, N.Y., Police Department; the Ocean City, Md., Police Department; the Atlanta Police Department; the New York State Police; the Virginia State Police; the White Plains, N.Y., Police Department, and a host of federal agencies.

Capt. Mark Seifert of the Delaware State Police said the agency will con-

tinue its efforts to draw from John Jay because of the "intelligence and genuine interest of the students" and their sincere desire to be police officers, he told LEN. An added attraction for the DSP, he said, is the ease of setting up shop in one location and talking to a large number of potential applicants.

Said Ocean City Officer Jay Hancock, the college offers an initial foothold to students who are already looking forward to a career in law en-

forcement. It recruits mainly to fill its seasonal ranks during the months between May and September when the city's population swells. The department gets the help it needs, and the students get credited internship experience, he said.

"Over the years, we've had eight or ten John Jay students," Hancock told LEN. "Ocean City isn't very familiar with them, but the ones we've had have done a good job."

Street fighting:

Phila. mayor unveils anti-gun, anti-crime strategy

In defiance of state lawmakers, Philadelphia officials this month said they would initiate a lawsuit against 14 gun manufacturers as part of a package of crime-fighting strategies that also includes an expanded role for Police Commissioner John F. Timoney, the distribution of free gun locks to residents and the targeting of suburbanites who drive into the city to buy drugs.

Although Pennsylvania passed a law in December prohibiting broad legal action against the gun industry, Philadelphia City Solicitor Kenneth I. Trujillo said the city had found a loophole that permits the suit. Filed in Philadelphia Common Pleas Court on April 11, the suit alleges that the gun makers are a public nuisance because they knowingly oversaturated the market, allowing criminals easier access to firearms; used shade dealers and distributors; advertised to facilitate criminal intent, and failed to make handguns safer. The lawsuit skirts the narrowly worded state law which bars action against the legal marketing of guns.

The suit fulfills a promise made by Mayor John Street during his election campaign. Former Mayor Ed Rendell had first raised the possibility of a lawsuit several years ago, sharing his theories with other cities. He then began personally negotiating with the gun industry, however, expressing concerns about the costs and delays of court action. As a result, Philadelphia has not been among the 30 other municipalities nationwide that have filed suits.

Legislators who supported the ban on legal action called the city's decision ill-advised, according to The Philadelphia Inquirer. State Representative Robert W. Godshall, a Montgomery

County Republican who is a leading supporter of gun rights in the General Assembly, said the Legislature would negate the city's action. "The measure passed the House overwhelmingly and it passed the Senate by even more," he told The Inquirer. "If there is a loophole, I would expect the Legislature would probably fix the loophole as we have done in the past."

The lawsuit has also been denounced by state Senator Vincent J. Fumo, a Philadelphia Democrat, whose spokesman, Gary Tuma, told The Inquirer that the action was a "waste of

the city's money to no good end. It's not a winnable lawsuit."

But Street contends that the move is "very important" to the city's ability to fight crime and its ability to "secure people in our communities."

The initiatives were introduced during a "Taking Back the Streets" summit of local, state and federal authorities that was organized by Street in an effort to encourage cooperation in fighting crime across city and county lines.

Among the other strategies outlined by the mayor is the appointment of Timoney to the new cabinet-level po-

sition of Secretary of Public Safety. In his new role, Timoney, who will retain his duties as police commissioner, will also be responsible for coordinating policing efforts among SEPTA, the Philadelphia Housing Authority, the school district, and local private universities.

Street has also proposed the creation of a regional crime authority, a concept in keeping with both the mayor's embrace of regional cooperation and Timoney's efforts to involve neighboring municipalities in computerized crime-mapping. Under the proposed

Inter-Governmental Crime Commission, anti-drug efforts would be integrated in Philadelphia, Bucks, Chester, Delaware and Montgomery counties. In addition, Street said, state Representative Dwight Evans (D.-Philadelphia) will introduce a bill making it a felony to carry illegal drugs across county lines.

He also announced a new program for the distribution of some 6,000 free gun locks donated by the National Shooting Sports Foundation and a local gun manufacturer, North American Arms.

Civilianization may be too much of a good thing in Chicago suburbs

There is some concern among law enforcement officers in the outlying suburbs of Chicago that hiring civilians to fill jobs that once went to sworn personnel is a concept gaining too much popularity with management.

In the interest of putting as many officers on the street as possible, many of the departments in Chicago's northwest suburbs have been turning to retired officers or people who were never sworn. Since 1995, the Schaumburg Police Department has civilianized 11 of its 138 sworn posts, seven of them supervisory, including evidence technician supervisor, administrative lieutenant and training director.

While Schaumburg has more civilians than most other departments in the area, in Arlington Heights, three out of 144 sworn positions have been civilianized. The Elgin Police Department has done the same with at least

four of its 164 sworn positions, and three of the 100 sworn posts in Palatine have been civilianized.

Schaumburg Police Chief Richard Casler defended the practice, saying he hires the most qualified people for the job. Jim Herman, a 26-year veteran officer who had retired last year, was recently rehired by the department as evidence technician supervisor. The agency's crime analyst, Diana Grubb, has 14 years experience with departments in Rockford and Elgin. "I have an obligation to provide the highest level of service to the community," Casler told The Chicago Tribune.

But some observers contend that while it may be cost-effective to hire civilians to take technical jobs that would leave officers behind desks all day, it can hurt a department's morale. Some Schaumburg officers told The Tribune that they were concerned that

they would spend the rest of their careers at the beat level.

"You are taking that job away from a police officer who wants to learn something a little different from what they are already learning or doing," said Joseph Andolina, president of the Metropolitan Alliance of Police, a union that represents Schaumburg officers as well as officers from some 100 other law enforcement agencies.

Casler, however, said there is still room for growth in the department. In fact, the agency recently promoted 10 officers to sergeant, six sergeants to lieutenant, two lieutenants to captain and two captains to deputy chief. Such jobs as patrol, traffic, investigations and the tactical division will never be civilianized, he said.

Residents need not be concerned because arrests will be made by sworn officers, said John Firman, research

coordinator for the International Association of Chiefs of Police. "Communities tend to look at their police department on several things: 911; the quality of response when they get there; how good they are and how effective they are," he told The Tribune. "When you are responding to a 911 call, you'd better be sworn, you'd better have the training."

Tony Narr, director of management education for the Police Executive Research Forum, noted that when departments hire civilians, they are hiring someone whose sole responsibility is to focus on one area of expertise.

Said Elgin Police Chief William Miller: "I think most sworn police officers were hired to perform the job function of a public peace officer and should not be expected to perform the function of an evidence coordinator or a records supervisor."

Marshall:

Survival training for female officers: Think FAST

By Kenneth B. Marshall

How important is survival training for law enforcement officers? Just ask Ohio State Highway Patrol Trooper Angela Watson, and she will tell you in no uncertain terms.

"There is no doubt that my training helped save my life," Watson told a self-defense class at the OSHP training academy in Columbus last September. "During my situation I didn't think; I just acted on instinct and did what I had been trained to do."

Watson was referring to the early morning hours of July 27, 1997, when she drew upon her extensive training and survived a life-threatening shooting incident. Watson had stopped to check a pedestrian walking on Interstate 70 in Preble County in western Ohio. Watson approached him and within moments he fired several rounds at close range from a .44-caliber revolver he had hidden behind his back. Although struck in her protective vest, Watson returned fire with her service weapon, striking the suspect.

Despite suffering rib injuries as a result of the suspect's gunfire, Watson survived and was able to get an emergency radio message to her Patrol post. Investigators later determined that a self-inflicted gunshot wound ended the suspect's life.

An experience like the one Trooper Watson survived could happen to any law enforcement officer at any time. In order for officers to survive the many challenges they face daily, they must prepare mentally and physically to react. The OSHP, responding to the ever-increasing need to prepare officers to survive, developed a specialized training course in street survival. Notably, this course is among only two others in the nation specifically created for female officers, and the only one offered by a state law enforcement organization.

The five-day course, titled Firearms, Arrest and Self-Defense Tactics (FAST) provides female law enforcement officers in Ohio with progressive

training in the art of survival. The course includes survival shooting techniques, self-defense tactics, captured-officer survival, prisoner security, vicarious liability, and day, night and multiple-target firing.

"The training is effective because it utilizes the most current information, and during practical exercises, places the officers into situations as close to realism as possible," said OSHP Lieut. J.D. Miller, the course director.

A personal observation by Lieutenant Miller while instructing a self-defense course in 1997 served as the genesis for the FAST curriculum. Miller had noticed that female officers appeared less involved in self-defense and survival training sessions that involved both male and female officers. An all-female curriculum was developed and, according to Miller, it has created a conducive environment that eliminates learning barriers.

This blend of classroom and practical exercises, covering the three general areas of skills, tactics and survival attitude, helps guide female officers in the decision-making process. The training also puts each officer into worst-case scenarios, and into environments that exploit their weaknesses. Officers then work to improve in trouble areas.

"If we put them into a position where they do not feel foolish or intimidated, then you do not have an environment conducive for learning," said Miller. "It is in training where we want their mistakes to be noticed, and train from a position of disadvantage."

Reaction to the course has been overwhelmingly positive from both instructors and female officers. Both have voiced favorable comments about the small class size, the heavy emphasis on one-on-one instruction, and the interaction between officers. Building upon the success of trial training groups, and the success of the course in general, all female troopers will go through the FAST course during 2000.

Regarding the issue of conducting female-exclusive training, Miller notes that the FAST training is successful in part because learning often occurs better in settings where all group members



Lieut. J.D. Miller of the Ohio State Highway Patrol (above, with pistol) developed the FAST survival training and self-defense course specifically for female officers. At left, a trainee participates in shotgun training that requires firing from various distances and shooting positions.



share common experiences.

The course is more comprehensive than the OSHP's standard self-defense and firearms training courses. The pace allows instructors to cover the material more thoroughly, and enables female officers to get the most out of group interaction.

"We can always use more self-defense training, and any opportunity to fire the weapons is helpful," said Trooper Raquel Upshaw-Culp of the Toledo post. "It is good being in a class with other

women because we can relate to the training together and work on our weaknesses."

"We must practice to survive confrontations on the street and to survive the aftermath of those confrontations," said Miller. "It is important to be able to go on with life after going through one of these experiences. Being able to go on involves both emotional and psychological survival, and eliminating mistakes."

While specific to female troopers, the FAST course sacrifices nothing in comprehensiveness. It includes such components as:

1 The Deadly Errors. This instruction block focuses on how instinctive behavior may be counterproductive for officer survival, and identifies deadly errors made by police officers that contributed to their untimely deaths.

2 Patterns of Encounters. This covers the most current information from the "Law Enforcement Officers Killed and Assaulted Summary" and explores patterns that appear in deadly confrontations.

3 The Psyche of Survival. The role that the mind plays in survival is often overlooked. This examines how fear and anxiety affect survival performance and the importance of belief systems in creating a strong mindset for survival.

4 Captured Officer Survival. This details the mental stress that burdens a law enforcement officer who is taken hostage, as well as techniques and methods for overpowering or escaping from captors.

5 Patrol Tactics and Techniques. This covers movement in hallways, observation techniques, clearing of stairways, ledges and overhangs, room entries, and safe handling of weapons during room and building searches.

6 Defensive Tactics. This segment looks at how to control passive, resistive and aggressive behavior, close-quarter and ground-fighting techniques.

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Note to Readers:

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Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.



Criminal Justice Library

Worthwhile additions to the bookshelf:

Probing answers to complex, pressing issues

Police and Policing: Contemporary Issues (2nd ed.)

Dennis Jay Kenney and Robert P. McNamara, eds.
Westport, Conn.: Praeger Publishers, 1999.
320 pp., \$69.50 (hb).

Controversial Issues in Policing.

James D. Sewell, ed.
Needham Heights, Mass.: Allyn & Bacon, 1999.
247 pp., \$26.00 (pb).

By Jeffrey Hertel

In an effort to keep pace with societal changes, police agencies are modifying the way they deliver services. In an era of community policing, with its accompanying need to be more responsive to the community, police departments have struggled with organizing themselves, evaluating recruit and officer personnel, and critically examining the effects of their current police programs on the communities they serve.

Two new books examine these issues that face police departments and offer some possible solutions. "Controversial Issues in Policing," by James D. Sewell, and "Police and Policing: Contemporary Issues," by Dennis Jay

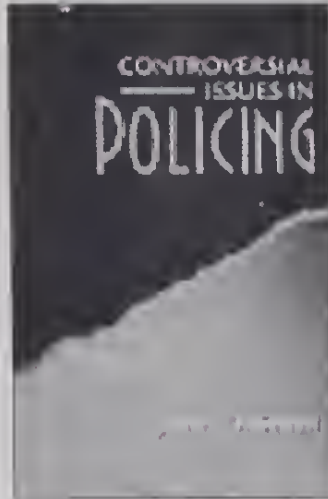
Kenney and Robert McNamara, both make for interesting reading. As their titles assert, both address some of the most controversial and challenging issues in policing today, although the two works employ different approaches to present these issues.

"Controversial Issues in Policing" presents 15 different topics in a debate format. Within each debate, the editor briefly identifies the issues at hand and how they affect police organizations. Two authors who have a background in the subject matter outline their particular position on the topics. The topics presented in the book represent the timely as well as the timeless, including: "Changing the Fourth Amendment"; "Civil Forfeiture"; "Police Officer's

Bill of Rights"; "Juvenile Curfew Laws"; "College Educated Cops"; "Police Executive Contracts"; "Paramilitary Structure"; "Vehicle Pursuits"; "Community Policing"; "Civilian Review," and the "Media as a Friend." Community policing, in fact, is covered by several debates.

The strength of "Controversial Issues" stems from the wide variety of the authors' backgrounds. Police administrators, professors, union officials and media consultants all make contributions to the book. These differing perspectives create lively reading and a complete examination of the issue. At the request of the editor, several of the authors argue the controversial side of an issue to draw out the key points. This is done very effectively.

"Controversial Issues" has many outstanding debates. One notable example is "Community Policing: A More Efficacious Police Response or Simply Inflated Promises?" David Carter and James S. Albritton argue the promises and pitfalls of community policing, with Carter outlining the "usual" tenets and philosophy of community policing and problem solving, as well as the perceived failures of traditional policing. In his riposte, Albritton delineates the lack of definitions in community policing, the ambiguous role of the com-



munity, and the lack of real change in the structure of a community policing organization as "inflated promises" of community policing. Albritton questions the ability of officers and departments to create "community" and asks whose definition of "community" should police departments try to replicate.

Before community policing can achieve the results that are possible, solid empirical studies need to be conducted, administrators must critically examine the philosophies and implementation of community policing, and real dialogue must be conducted with communities about what role they really want in the production of public safety. Carter and Albritton's debate adroitly engages the reader to reflect on the difficulty of implementing community policing. The examination of community policing is continued in later debates on police organizational structure and the role of the police officer in the neighborhood.

Another highlight of the book is a debate on the merit of employment contracts for the police executive. Dr. Gerald Williams, a former police chief, and Dr. Sutham Cheurprakobkit make excellent arguments in favor of a tenured contract for police executives, supporting their arguments with the histories of notable chiefs that were fired without contracts. William E. Kirchoff, who has written on the subject of police executive careers, effectively develops the case for performance protection contracts. PPCs offer protection for both the police executive and the hiring authority by outlining expectations and a timetable for evaluations and the termination of the contract.

"Police and Policing: Contemporary Issues," meanwhile, is a revised edition of a book originally published in 1989. Kenney and McNamara present 17 thoroughly documented articles that cover various aspects of managing police personnel and police organizations, and offer a critical look at some popular police practices. Many of the articles are written by well-known academic authors and are very informative. Examples include: "Personnel Performance Evaluations"; "Police Work Hours"; "Police Suicide"; "Role of Religion in Policing"; "Tactical Patrol Evaluation"; "Survey of Police Pursuits"; "Rethinking Detective Manage-

ment"; "Institutionalized Corruption," and four articles on community policing and problem-solving. Most of the articles have supporting data from their related studies and are also thoroughly cited.

Where "Controversial Issues" presents both sides of an issue, "Police and Policing" offers a thoroughly documented stance on a particular issue. The strength of this book is the completeness of the articles and the variety of topics. One article that was particularly interesting was "Personnel Performance Evaluations in the Community Policing Context," by Timothy Oetmeier and Mary Ann Wycoff. This article would be worthwhile reading to any administrator who is thinking of changing a department's evaluation system to augment and support the community policing and problem-solving philosophy. Many departments' evaluation systems reflect the job description of officers prior to the implementation of community policing. According to Oetmeier and Wycoff, a revamped evaluation system, based on a department's current expectations of problem-solving, will help to develop personnel and further the department's community policing program.

Several other articles in the book, under the generic heading of Impacts of Policing, examine other premises of the community policing model and the possible shortcomings of this approach. The reality of long-term problem-solving, difficulties with current problem-solving approaches, the lack of widespread citizen participation, and obstructions to police innovation are all explored in the last few articles. These articles provide food for thought for those who are having difficulty implementing their community policing program.

Several other contributions to the book are worth mentioning. An article on police suicide is very informative and dispelled some of the myths on this subject. There is also an interesting article on the management of the detective function written by John E. Eck. In this article, Eck describes why reform of a department's detective unit is rarely effective or enduring.

"Controversial Issues in Policing" is an excellent book. The various backgrounds of the authors, along with the debate format, provide different perspectives on an issue, while the array of police topics is both broad and timely. "Police and Policing" has its own merits. It, too, covered a wide variety of topics, and all the articles were well written and fully documented. I felt, however, that a few of the writings were dated. In addition, some of the articles were reprinted from other sources, a fact that seemed to hamper the overall flow of the book.

Both books would be worthwhile additions to a professional collection. The editors deserve credit for producing books that provide insight into some of the most complex and pressing challenges in policing today.

(Jeffrey Hertel is a captain with the Grand Rapids, Mich., Police Department. He holds an M.P.A. degree and is a 15-year veteran.)

How do you measure up? An inside look at assessment-center success

The Assessment Center Handbook for Police and Fire Personnel.

By Charles D. Hale.
Springfield, Ill.: Charles C Thomas Publisher Ltd., 1999.
158 pp., \$25.95 (pb).

By Chet Epperson

As public safety agencies continue to use assessment centers as an adjunct to promotional exams, Charles D. Hale's latest book, "The Assessment Center Handbook For Police and Fire Personnel" is a must read for promotional candidates and for agencies that employ this process.

Hale does an exceptional job with his explanation of an assessment center, which, while used primarily as a tool for evaluating candidates for promotion or appointment, may also be used to pinpoint problems with organizational coordination, policy, and procedure development. The assessment center process differs from traditional examinations in that it is a test of skill and ability rather than knowledge.

In contrasting the assessment center with traditional written tests and oral interviews, Hale points out that a traditional written test measures your ability to memorize written material, but it cannot indicate how well you will be able to actually apply that knowledge in a real-life situation. Oral interviews have their own problems, being heavily influenced by how well the interviewers like what the person has to say, the appearance of the individual, and "what

if" situations. Unlike the assessment center, this process allows candidate to role-play in the job they are seeking to obtain.

Other added benefits of the assessment center are that it is a means of self-evaluation. Candidates are role-playing but attempting to make the situation as real as possible. This process allows open-minded candidates, and those who wish to excel in their personal development, to learn from their mistakes, improve in their weak areas, and build on their strengths.

Hale provides excellent descriptions of exercises commonly used in an assessment center: the in-basket, group problem solving, tactical, employee interview, citizen interview, shift or company meeting, and news media exercises. After providing the description of each exercise, Hale offers further points of clarification and suggestions on how to receive a good score from the assessors. In addition, there is a section on preparing for the assessment center, in which Hale provides "what to do and what to avoid" tips for each of the exercises and problems. Both of these sections provide an enormous amount of information that can be of considerable assistance to the candi-

date.

Some municipal agencies could duplicate the design of Hale's book, and if they choose to, they are provided ample information regarding planning assessment design, administration, selection, and training of assessors, and candidate evaluation and scoring methods. Hale does well by going through each of the steps in a methodical, informative manner.

Finally, Hale gives the reader an opportunity to go through sample assessment center exercises. This section allows the reader to apply what Hale advocates in the opening of his book, wherein he stresses that the best teacher is experience, in terms of conducting an assessment center, being assessors, or participating as a candidate. For the candidate, Hale believes you will come out of the assessment exercises a better person because of the self-development exercises and being able to view yourself from the follow-up videos taken during the exercises.

Having read a similar assessment center book in the field, I would rate Hale's book, which flows quite well, above the other. And, after having personally participated in two of Hale's assessment centers as a candidate, his book measures up to his product.

(Chet Epperson is the Patrol Administrative Sergeant with the Rockford, Ill., Police Department. A 19-year policing veteran, he has B.S. and M.B.A. degrees from Rockford College. He can be contacted at work: (815) 987.5876 or via e-mail: cepp@gateway.net.)

Policing beset by fatigue & sleep disorders

Continued from Page 1

Navy to judge the exhaustion levels of personnel on battleships. The machine establishes a base line for fatigue after roughly 10 readings, and then measures deviations and their extent to judge levels of tiredness. But if officers were exhausted each time the tests were done, then researchers were only seeing how much more fatigued they were than normally, he noted.

"Essentially what we found is that fatigue among officers is very high. Keeping in mind that we are understating the levels of fatigue because of the problem of a base rate, we still found it high. And if the base rates were fatigued, then the levels are very, very high," Kenney told Law Enforcement News. "We wound up with estimates that compared it with previous research which found that 8 to 10 percent of officers are roughly the equivalent of DWI when they begin their shifts. Now understandably, as they progress through their shifts, they should be developing even greater levels of fatigue."

Perhaps the most significant thesis posited by the study, however, is that with exhaustion come lapses in judgment which in turn could lead to misconduct. Sleep research, according to

Kenney, shows that those operating from a haze of fatigue tend to select a course of action from a constrained array. "Given the nature of decision-making police officers are called upon to do, that would be a negative thing," he said. "If you're working in sales and you make a bad decision, so what? If you're working in policing and you make a bad decision, the consequences can be pretty extreme."

The findings also raise the question of whether the overtime needed in some cases to make community policing efforts work is being inadvertently undermined by fatigued officers, with the study identifying duty-related overtime as one of the most significant sources of officer exhaustion.

"It is common for patrol officers to work double shifts to replace sick colleagues or in response to demands for service such as those that community-oriented policing programs often require," the study said. "Although the extent to which community-policing programs are dependent on overtime is not yet fully understood, double and triple shifts are hardly unknown."

The study also noted that among participants, it was generally agreed that fatigue tends to "degrade their in-

teractions with the public" by causing irritability, reduced patience and an inability to focus on broader issues which might lend themselves to problem-solving solutions.

Fatigue may also increase the possibility that officers will be involved in accidents that put themselves and the public at risk. While researchers wrote that they were limited in their ability to evaluate causal relationships between fatigue and accidents or injuries, the data that were available suggested a connection. The study examined 379 patrol officers from the four participating agencies over a four- to six-month period. Out of 34,581 regularly scheduled workdays, researchers took pupilometry tests on 5,274 of these days, or 15 percent of them.

Out of 94 accidents or injuries recorded among participating officers during that period, only six occurred on a day when such tests for the officers involved were available and two more from pupilometry tests taken the day prior to the incident. Of those, three officers were fatigue-impaired at a level of 0.05 and one at .001 — a level believed to be the equivalent of either a blood alcohol level of 0.08 or of being awake for 24 straight hours.

In fact, the proportion of on-duty accidents where fatigue was present, four out of eight, was nearly identical to that found by the National Transportation Safety Board's investigation of fatal interstate trucking accidents, the study said.

The study also found, however, that the officers involved in these accidents tended to be two years younger and two years less experienced than officers who were not involved in accidents. It may be that they are less skilled or less prudent, or more enthusiastic, it said.

Overtime days and irregular schedules also tended to be linked to accidents and injuries. Among participating officers, 17 percent of such incidents that occurred during the period studied happened on days when those involved worked overtime. Nearly 23 percent of the officers involved were working irregular schedules, compared with 13 percent of officers who were not involved in accidents and who worked irregular schedules.

Given the nature of their work, "it is important for police officers" to get enough rest, said Kenney. "One, they are driving automobiles for extended periods of time, so we should limit them in the same sense that we do truck drivers. One of the major causes of death and injury to police is not necessarily felonious assault, but traffic accidents. They pose as much risk to officers as assaults and bad guys do."

Instead of examining the effects of rotating shifts, which other research has already shown to have an adverse impact on police, Kenney and his colleagues looked at the effects of fixed-shift agencies. Lowell and Portland, for example, use eight-hour shifts, while Arlington County employs a cycle consisting of four consecutive 10-hour shifts followed by three days off. In Polk County, patrol officers have a 12-hour workday with a cycle that lasts 14 days and is arranged so that deputies have two three-day weekends a month, or two work days followed by two days off; three workdays followed by two days off; and two work days followed by three days off.

Polk County's schedule was found by the researchers to be perhaps the most effective at mitigating stress and exhaustion. The finding was a surprise, said Kenney, but made sense after analysis. During focus groups at the end of the study, officers explained that working just eight hours in the course

of an eight-hour shift is a fallacy. With paperwork and other chores, the shift always ends up running longer. Those officers also often work off-duty jobs, which means they put in a 15- to 16-hour day, said Kenney.

But officers who work 12-hour shifts generally do not spend more time at work, and have actual days off when they can catch up on their sleep, or work at off-duty jobs instead of trying to squeeze two jobs into a single day. In the end, they end up with more time off, Kenney said. "The participating deputies from Polk County were in nearly complete agreement that their agency's fixed 12-hour shift schedule significantly reduced their fatigue," said the study. "In addition, they declared their work schedules both increased work quality and improved their personal and family lives."

However, a base line for fatigue taken at the beginning of shifts showed that these officers come on duty more rested, but with no readings taken following the end of the shift, it was unknown whether they experience more exhaustion as their shift progresses. And endorsement of the schedule, while considerable, was not unanimous, said the study. One spouse reported to researchers that the extra two hours of the workday left her husband feeling more fatigued at the end of the day and with fewer hours for family.

While acknowledging that off-duty work can be essential to officers' financial well-being, and overtime is a vital part of balancing strained municipal budgets, Kenney suggested that it may be appropriate to establish a cap on the amount of work an officer is allowed to do, period. "Just because you can stretch your resources with overtime doesn't necessarily mean you should," he said, "especially when we are now increasingly experiencing concerns around the country about police interactions with citizens."

Among a number of recommendations made by the study is the development of policies that place tangible limits on the number of hours officers may work except in emergency situations. These would include overtime, off-duty work and special assignments. "We believe that the best approach at present is for managers to work with their officers to develop comprehensive fatigue-management plans that treat shift length as one of many important variables," said researchers.

Headlines are not enough

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Law Enforcement News

(41500)

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Mass. applies consumer protections to firearms

Continued from Page 1

don't have those powers in New York. That's why you need a national approach." Spitzer advocates a code of conduct for safety by gun manufacturers.

The Gun Owners' Action League, an association of gun owners in Massachusetts, said the regulations are unnecessary because of strict federal and state laws already in place which cover any person or business selling more than five guns a year to any buyers outside of the military, law enforcement or museums. Kevin Sowyrda, a spokesman for the group, called the regulations an "assault on veterans and an assault on gun owners."

Massachusetts' move began in 1997 when then-Attorney General Scott

Harshbarger bypassed the Legislature and wrote the rules, relying on his office's broad powers to regulate consumer products. While court challenges kept the regulations from being implemented, the Legislature in 1998 passed a similar bill which now faces challenges by gun advocacy groups. Reilly imposed the regulations after opponents missed the deadline for filing further appeals.

The regulations also require semi-automatic handguns to come with an indicator to show whether they are loaded and a device that disables the trigger if the gun's magazine is removed. Within 15 days, the state will contact gun manufacturers and sellers to inform them of the regulations. Violators face a \$5,000 fine.

U.S. marshals seize Denver PD files

The list of problems bedeviling the Denver Police Department continues to grow, as officials are now trying to get back thousands of confidential internal files a federal judge had ordered seized from the department last month, after his orders to show them to attorneys for the plaintiff in a brutality suit were not obeyed.

Under orders from U.S. District Court Judge John Kane Jr., federal marshals raided the OPD on March 22, carrying out boxes containing between 5,000 and 7,000 Internal Affairs Bureau records on incidents of police violence and transferring them to the federal courthouse, according to U.S. Marshal Service enforcement supervisor Ken Deal. Weeks earlier, Kane had ordered city officials to turn the documents over to attorneys representing Matthew Combs, who claims a police officer kicked and beat him in 1998, causing brain damage.

Kane's original order had given the city 20 days — until March 15 — to comply with a request by Combs's attorneys to see some 4,000 documents involving police violence over the past seven years. However, one lawyer, Elisa Moran, told the judge that she and her partner had been forced to wait two hours for a room when there was one empty in plain view. Of the first 100

files police gave her, she said, 60 were missing because the investigations were still active.

Moran also said that many of the documents were unreadable because they had been stamped "Confidential" across the body of the text. A large logo printed in the middle of the paper used

case filed against the Denver Police Department by Combs. According to his lawsuit, Combs was injured on Sept. 4, 1998, when he got into what police reports described as a minor crash with Officer Timothy McAleer, who was on patrol at that time. Both vehicles were moving at an estimated 30 miles per

hour when his ability was impaired by alcohol. His suit claims that not only did McAleer lie in his report, but that the department's IAB has for years hidden a pattern of police brutality.

Judge Kane appointed attorney Craig Shaffer as a special master to decide who can look at the files and under what circumstances. The judge has emphasized that the records are not sealed and shall remain available to any party with a legitimate reason to see them.

In its appeal of Kane's decision to the 10th Circuit U.S. Court of Appeals, filed on March 23, City Attorney J. Wallace Wortham said the city is not fighting the order to turn over the records, but the fine and seizure of the

documents.

"I want to make it absolutely clear that we will comply with the release of the records," he said. "The issue here is the method of releasing the files. It appeared that everything was going quite smoothly."

Technicians in charge of the files, said Wortham, followed the normal procedure of stamping them, and he said the "Confidential" mark was removed as soon as Kane's instructions were brought to their attention. Combs's attorneys, he added, were given the same access to the files as other plaintiffs' lawyers. They were not given a private room at police headquarters only because other plaintiffs' attorneys got there first.

"The arrogance of the city and its attorneys is exceeded only by its petulance."

by attorneys representing the city to make copies also made those impossible to read, she told Kane, according to The Denver Post. In addition, Moran said, the police department charged the lawyers an exorbitant 25 cent fee for each copy they made.

Kane was highly critical of city officials, who he believed disobeyed his direct order. "The arrogance of the city and its attorneys is exceeded only by its petulance," he said in court. He also fined the city and its representative, Andrew Carafelli, \$10,000 for being "disingenuous" in their responsibility to carry out his order.

The action taken by the judge comes in the midst of a contentious brutality

hour when they collided.

In his suit, Combs claims that McAleer repeatedly kicked him in the head, causing brain damage. He was taken to the hospital with a fractured skull and brain injuries.

McAleer wrote in his report that Combs "had to be taken to ground" because he tried to run from the scene of the accident. A doctor at Denver Health Medical Center, however, reported the incident to investigators at the agency's Internal Affairs Bureau because he thought the Combs's injuries looked too severe for a relatively low-speed crash.

While originally charged with six separate counts, Combs pleaded guilty

Chicago anti-gang unit gets scattered

Without abandoning the mandate to go after gang-related crimes, the Chicago Police Department has broken up its anti-gang unit, dispersing its members to the agency's narcotics and detective divisions in what is seen as a reaction to the recent charges against a veteran officer accused of running an extensive drug ring, whose alleged exploits included shakedowns, extortion, robberies, case-fixing and protecting a murder suspect.

Last month, the former leader of the Latin Lovers street gang, Nelson Padilla, pleaded guilty to the 1995 murder of a rival gang member. Padilla testified that he was able to elude capture for years with the help of gang unit Officer Joseph Miedzianowski and another, unnamed officer, who provided him with food, a cellular phone and a list of witnesses to the murder.

Miedzianowski, who spent 16 of his 22 years on the force with the gang unit, was indicted in April 1999 by a federal grand jury on charges he ran a Miami-to-Chicago narcotics pipeline with several gang members who were once police informants. He has pleaded not guilty to the charges and is being held at the Metropolitan Corrections Center. Eleven co-defendants, none of them officers, have already pleaded guilty and are cooperating with prosecutors.

While Police Supt. Terry Hilliard has not specified why he chose to dismantle the unit, a department spokesman, Pat Camden, said he is sure that the scandal involving Miedzianowski is part of the equation. "It's something that's been talked about since the Miedzianowski case came to light," he told The Los Angeles Times.

All 104 members of the gang unit who currently work in the same building will be spread out across the city. Half will be reassigned to narcotics, where they will concentrate on gang-related drug crimes, and the rest to the CPD's five area headquarters, where they will focus on gang-related slayings and other violent crimes. The officers will retain their rank of gang crimes specialist, which is equivalent to detective.

"In reading between the lines, what they're trying to do is tighten up oversight," William Nolan, president of the local Fraternal Order of Police, told The Times. "These guys are gang-crimes specialists and will remain so."

The shake-up also signals a move

away from the gang-fighting structure set up in 1992 under then-Supt. Matt Rodriguez. A manpower-intensive strategy, the centralized gang unit targeted senior gang members and built complex conspiracy cases. Under the restructuring, gang crime officers will return to battling street-level crime and drug running, according to department officials.

The restructuring is not expected to have any effect on a new anti-loitering ordinance passed in February by the City Council in a lopsided 44-to-5 vote. The new measure, intended to take the place of a similar law that was struck down by the U.S. Supreme Court, specifically cites "gang and narcotics loitering," and allows police to order loiterers to disband within five minutes and remove themselves from the designated spot for at least three hours. The new law would also limit enforcement to designated "hot spots" in high-crime neighborhoods.

"Gang crimes wasn't the enforcer of that anyway," Camden told Law Enforcement News. "What's going to happen with the ordinance is that the tactical teams in the 25 different districts have gang tactical teams and regular tactical teams and they all are in the process of being trained regarding the ordinance. There are measurable differences between this ordinance and the old ordinance, and that's what this training is going through now."

The department hopes to begin enforcing the ordinance in June, he said.

Mayor Richard M. Daley, who supports the measure, said it had been written to follow suggestions made by Justice Sandra Day O'Connor, who in her opinion for the 6-to-3 majority wrote that an ordinance would be permissible as long as it targeted loiterers with "no apparent purpose other than to establish control over identifiable areas, or to intimidate others from those areas or to conceal illegal activities."

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Think FAST:

Survival skills for female cops

Continued from Page 8
and weapon retention.

¶ **Critical Incident Survival.** There is a constant likelihood that police officers will become involved in a critical incident. The curriculum covers what happens to the officer after the incident, how he or she will react, and how to prepare for the aftermath of a critical incident.

¶ **Officer Survival Panel.** Officers involved in critical incidents discuss, in an interactive question-and-answer format, their own event and the effects it had on their lives.

¶ **React-Fire-Win.** This covers techniques for moving, shooting and seeking cover, whereby students engage 3-D reactive targets using "simunitions" and modified firearms.

¶ **Building Searches.** This event requires students to utilize all of their tactical skills under the most stressful conditions.

¶ **Firearms Field Trip.** Includes handgun firing (in which students evaluate their individual skills with handguns, and work on drills to increase speed and accuracy of shooting) and shotgun firing (from various distances and shooting positions).

¶ **Transitional Shooting.** Students use handgun and shotgun skills in a timed event. The use of cover, shooting accuracy and safe handling of firearms while under stress is evaluated.

¶ **Close-Quarter Shooting.** Students engage multiple targets at various distances in a scenario designed to simulate a room entry.

¶ **Defensive Combat Course.** This uses the React-Fire-Win (red-handled gun) course designed to put officers in a situation so close to reality that the only things missing are the projectiles. It teaches students to react instinctively when suddenly involved in a gun battle.



A trainee in the FAST program takes part in a transitional shooting exercise that requires the use of handgun and shotgun skills in stressful situations.

Perhaps just as important as the physical skills is the mental condition required to survive a lethal encounter.

¶ **Hostile Environment Reaction.** This course simulates situations that officers may become involved in outside the area of traffic stops. This is normally a building search initiated by the officer responding to an "open-door" call. The officer is placed in situations that test tactical skills as well as decision-making abilities.

¶ **Cover and Concealment.** This emphasizes the subject as a learned skill. Officers are videotaped as they go through a course of movement requiring the use of cover, which allows for

later analysis and critique by instructors.

¶ **Officer Survival.** In many encounters, the officer's attitude toward survival is what kept them alive. Discussion topics include the will to live and development of survival instincts.

Ultimately FAST is successful because the course helps female officers determine their strengths and acknowledge their weaknesses. The responsibility for improving on those weaknesses falls squarely on the shoulders of the student, but each officer leaves after the week-long FAST course with higher levels of confidence and self-esteem than when the course began.

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Think FAST:

A new twist in survival and self-defense training — just for female officers.
Forum, Page 8.



You are getting sleepy...

And chances are it's having a serious impact on your ability to do your job properly. A new study explains, on Page 1.



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What They Are Saying:

"In many ways, we are slowly damaging our police officers — or to some extent, they are doing it themselves."

— Dennis Jay Kenney, one of the authors of a new study that says excess overtime and moonlighting are having a serious adverse effect on police officers. (Story, Page 1.)